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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of
HUMBERT, PATRICK, et al.

Appln. No.: 09/649,057

Confirmation No.: Not Assigned

Group Art Unit: Not Assigned

Filed: August 7, 2000

Examiner: Not Assigned

For: APPARATUS FOR SUPPORTING A PREFORM AN INSTALLATION FOR
MANUFACTURING OR BUILDING UP A PREFORM AND PROVIDED WITH
SUCH APPARATUS, METHODS IMPLEMENTED IN SUCH AN
INSTALLATION, AND A PREFORM MADE USING SUCH METHODS

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RESUBMISSION OF:

- (1) **RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION, and**
- (2) **PETITION TO RECEIVE FILING DATE OF AUGUST 7, 2000**

Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

Applicants received a Notice of Termination of Proceedings ("Termination Notice", dated January 17, 2002), which indicates that the filing error specified in the Notice of Incomplete Nonprovisional Application ("Incomplete Application Notice", dated January 9, 2001) was not timely corrected. The Termination Notice is incorrect for the following reasons.

The alleged error set forth in the Incomplete Application Notice was that the application papers did not include a specification. Applicants responded to the Incomplete Application Notice by filing a Response and Petition with supporting documentation to show that the USPTO did in fact receive a specification along with the original application papers. The Response and Petition was filed on February 14, 2001 (*i.e.*, well within two months from the January 9, 2001 mail date of the Incomplete Application Notice), and therefore that filing was timely.

RESUBMISSION OF RESPONSE AND PETITION
US Appln. No. 09/694,057 (*Q60128*)

Applicants submit copies of the following documents:

- Exhibit A:** Notice of Termination of Proceedings;
- Exhibit B:** Response to Notice of Incomplete Nonprovisional Application and Petition to Receive Filing Date of August 7, 2000 (with copies of items 1-5 listed on the Response);
- Exhibit C:** Filing Receipt (bearing mail room stamp of February 14, 2001, and identifying the documents received by the USPTO); and
- Exhibit D:** Serial Number Postcard (front and back, bearing mail room stamp of August 7, 2000, and identifying the documents received by the USPTO).

These Exhibits show that the originally filed application papers included a specification, which was in fact received by the USPTO on August 7, 2000. The Exhibits also show that Applicants timely corrected the errors alleged in Incomplete Application Notice. For these reasons, Applicants respectfully petition the Commissioner to (1) withdraw the Termination Notice, and (2) accord this application a filing date of August 7, 2000.

Pursuant to 37 C.F.R. § 1.17(i), please charge the petition fee of \$130.00 to our Deposit Account No. 19-4880. *If the Commissioner determines that the application is entitled to the August 7, 2000 filing date, then Applicants respectfully request a refund of the petition fee.* You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. A duplicate copy of this response and petition and authorization is enclosed.

Respectfully submitted,

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860
Date: January 28, 2002

Ray Hefflin

Ray Hefflin
Registration No. 41,060

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EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/694,057		Patrick Humbert	

CONFIRMATION NO. 9140

ABANDONMENT/TERMINATION
LETTER

OC000000007327193

S. ZHRUE, MION, ZINN
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

Date Mailed: 01/17/2002

NOTICE OF TERMINATION OF PROCEEDINGS UNDER 37 CFR 1.53(e)

Proceedings on the above-identified application number are **TERMINATED**.

The application did not meet the requirements of 37 CFR 1.53(b), (c), or (d) to be entitled to a filing date, and the filing error(s) specified in the Notice mailed on 01/09/2001 were not timely corrected (37 CFR 1.53(e)).

The \$ 690 fee submitted with the application, less a \$130.00 handling fee, will be refunded or credited to your deposit account.

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A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

EXHIBIT B



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of

HUMBERT, PATRICK, et al.

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**RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION and
PETITION TO RECEIVE FILING DATE OF AUGUST 7, 2000**

Commissioner for Patents
Washington, D.C. 20231

FILED
FEB 14 2001

Dear Sir:

Applicants received a Notice of Incomplete Nonprovisional Application indicating that a filing date has not been accorded to this application because the specification is missing.

However, this indication is incorrect because the originally filed application papers included a specification.

Applicants submit copies of the following documents:

1. Notice of Incomplete Nonprovisional Application (mailed January 9, 2001);
2. originally filed Transmittal Letter;
3. originally filed Specification;
4. originally filed Declaration and Power of Attorney; and
5. Serial Number Postcard (bearing mail room stamp of August 7, 2000, and identifying the documents received by the USPTO).

RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION and
PETITION TO RECEIVE FILING DATE OF AUGUST 7, 2000
U.S. Application No. 09/649,057

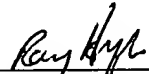
These documents show that Applicants' originally filed application papers included a specification, which was in fact received by the USPTO on August 7, 2000. For the foregoing reasons, Applicants respectfully petition the Commissioner to accord this application a filing date of August 7, 2000.

Pursuant to 37 C.F.R. § 1.17(i), please charge the petition fee of \$130.00 to our Deposit Account No. 19-4880. *If the Commissioner determines that the application is entitled to the August 7, 2000 filing date, then Applicants respectfully request a refund of the petition fee.*

You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. A duplicate copy of this response and petition and authorization is enclosed.

Respectfully submitted,

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860



Ray Heflin
Registration No. 41,060

Date: February 14, 2001

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MAY 05 2001
E OF PETITION

EXHIBIT C

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MAY 05 2002

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FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

HUMBERT, PATRICK, et al.

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INSTALLATION, AND A PREFORM MADE USING SUCH METHODS

PAPER(S) FILED ENTITLED:

Response to Notice of Incomplete Nonprovisional Application and
Petition to Receive Filing Date of August 7, 2000
(w/copies of Notice of Incomplete Nonprovisional Application,
Transmittal Letter, Specification, Declaration, and date stamped Serial
Number Postcard).

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

DOCKET NO.: Q60128
ATTORNEY/SEC: HRH/bas

Date Filed: February 14, 2001

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EXHIBIT D



SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC

2100 PENNSYLVANIA AVE., N.W.

WASHINGTON, D.C. 20037-3202

0037-3202



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REQUEST OF EARLY NOTIFICATION OF SERIAL NUMBER

Inventor(s): Patrick HUMBERT, Pierre, RIPOCHE, Joel LANDI,
Jacques GOUDEAU

Title: APPARATUS FOR SUPPORTING A PREFORM AND
INSTALLATION FOR MANUFACTURING OR BUILDING UP A
PREFORM AND PROVIDED WITH SUCH APPARATUS, METHODS
IMPLEMENTED IN SUCH AN INSTALLATION, AND A PREFORM
MADE USING SUCH METHODS

Atty Doc. #: Q60128 Client: COMPAGNIE FINANCIERE ALCATEL

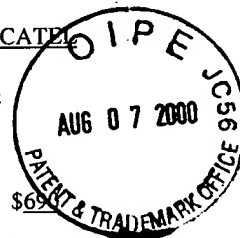
Filing Date: August 7, 2000 # Pgs. Spec/Abst: 14/1 #Claims: 4

Dwg. Sheets: 3 Decl COPY Prelim Amdt YES

IDS/Prior Art: In parent Pr Doc: In parent Asgmt: COPY Fee: \$69

☒ Check Attached ☐ Charge to Deposit # 19-4880 Atty/Sec: HRH:mb

SERIAL NO.: 09 694 057



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